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December 28, 2023

Via ECF

Hon. Stewart D. Aaron, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Escoffier v. Whole Foods Market Group, Inc.**  
**Case No.: 1:22-cv-06588 (AS)(SDA)**  
**Our File No.: WH-109**

Dear Judge Aaron,

This office represents defendant, Whole Foods Market Group, Inc. ("Whole Foods"), in the above captioned matter. Please accept this correspondence, pursuant to Your Honor's Order of November 8, 2023 (DE #58), as the parties' joint letter regarding the proposed next steps in this action. In this regard, the undersigned has spoken by telephone with *pro se* plaintiff, Dana Escoffier, on December 27, 2023. Plaintiff has conveyed his agreement with the contents of this status letter.

Whole Foods is presently disinclined to participate in a settlement conference in this matter. Whole Foods intends to file a dispositive motion. If the same meets with the approval of the Court, the parties propose the following briefing schedule: memorandum of law in support to be filed by January 30, 2024; memorandum of law in opposition to be filed by February 29, 2024; and memorandum of law in reply to be filed by March 14, 2024.

Kindly advise the parties if any additional information may be required by the Court at this juncture. Thank you for Your Honor's attention and continued courtesies in this regard.

Respectfully submitted,



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cc: Dana Escoffier, plaintiff *pro se* (via ECF)